



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,753	07/20/2006	Catherine Daines	4195-033	2835
24112 7590 10/06/2008 COATS & BENNETT, PLLC 1400 Crescent Green, Suite 300 Cary, NC 27518				
EXAMINER				
STELLING, LUCAS A				
ART UNIT		PAPER NUMBER		
1797				
MAIL DATE		DELIVERY MODE		
10/06/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10577753	7/20/2006	DAINES ET AL.	4195-033

COATS & BENNETT, PLLC
1400 Crescent Green, Suite 300
Cary, NC 27518

EXAMINER

Lucas Stelling

ART UNIT	PAPER
1797	20080930

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

- Amended claims 27-57 are directed to a species that is independent or distinct from the species originally claimed for the following reasons: The original reactor presented in all of the claims of 1- 2-07 was a counter-current reactor. The currently presented claims in the amendment of 7-29-08 are an amended version of those claims changing all instances of counter-current flow to concurrent flow. Concurrent flow reactors and counter current flow reactors are mutually exclusive and distinct species of reactors. An action on the merits has been made on the claims for the counter-current flow reactor species in the Non-Final rejection of 4-29-08.
- Since applicant has received an action on the merits for the originally presented species, this species has been constructively elected by original presentation for prosecution on the merits. Accordingly, if entered, claims 27-57 would be properly withdrawn from consideration as being directed to a non-elected species, thereby leaving no claims under consideration for action of the merits. See 37 CFR 1.142(b) and MPEP § 821.03.
- The reply filed on 7-29-08 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): under the proposed amendment all claims would be withdrawn as drawn to the non-elected species leaving no claim to be examined on the merits. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

las 9-30-08

/Matthew O Savage/
Primary Examiner, Art Unit 1797